

#4
APD

Attorney's Docket No. 66018-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John S. Fox

Application No.: 09/641,667

Group No.: 1641

Filed: 08/18/2000

Examiner: Changhwa J. Cheu

For: HIGH SENSITIVITY BIOMOLECULE DETECTION
WITH MAGNETIC PARTICLESCommissioner for Patents
Washington, D.C. 20231RESPONSE TO ELECTION REQUIREMENT
PURSUANT TO 35 U.S.C. 121

This response addresses the Election/Restriction requirement dated September 27, 2002, with respect to the above-identified patent application.

The Examiner has indicated that the application contains multiple embodiments that are patentably distinct from one another and create patentably distinct designs. The embodiments have been divided into twenty distinct groupings, Groups I to XX.

Accordingly, Applicant elects to proceed with Group I, claims 1-17.

Applicant further directs the cancellation, without prejudice, of all drawing figures and the corresponding descriptions for the non-elected groups.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office to Examiner Cheu at (703) 308-4556.

Date: March 27, 2003
Wendy Balaban

(Restriction Election —page 1 of 2)

Practitioner's Docket No. 66018-0001
09/641,667

Serial No.

If the Examiner has any questions with respect to this communication, he is kindly urged to call the undersigned.

It is believed that the application is now in condition for allowance.

Any fees required in connection with the filing of this paper, is identified in the accompanying transmittal.

Respectfully submitted,

Dated: March 27, 2003

By:



James R. Kamp, Reg. No. 41,882
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(Restriction Election —page 2 of 2)

** TOTAL PAGE.06 **

03/27/03 THU 15:38 [TX/RX NO 8978] 0006

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OFFICIAL**GROUP 1600**

To: Examiner Changhwa J. Cheu

From: James F. Kamp/wab

Fax: 703-308-4556

Pages: 5 + Coversheet

Phone: 703-306-4086

Date: March 27, 2003

Re: Application No. 09/641,667

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Thank you.

● Comments:

Dear Examiner Cheu:

Attached please find a response to an Election/Restriction for Application No. 09/641,667,
Entitled: High Sensitivity Biomolecule Detection with Magnetic Particles, along with transmittal papers.

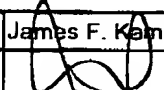
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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

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| FEE TRANSMITTAL for FY 2003 | | | | Complete if Known | |
|---|--|--|--|--------------------------|------------------------|
| <i>Patent fees are subject to annual revision.</i> | | | | Application Number | 09/641,667-Conf. #6732 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | | | Filing Date | August 18, 2000 |
| TOTAL AMOUNT OF PAYMENT (\$) 985.00 | | | | First Named Inventor | John S. Fox |
| | | | | Examiner Name | Cheu, Changhwa J. |
| | | | | Group Art Unit | 1641 |
| | | | | Attorney Docket No. | 66018-0001 |

| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | |
|--|---|--|----------------|
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit Card | 3. ADDITIONAL FEES | |
| <input checked="" type="checkbox"/> Deposit Account | <input type="checkbox"/> Money Order | | |
| <input type="checkbox"/> Other | <input type="checkbox"/> None | | |
| Deposit Account Number: 18-0013 | | | |
| Deposit Account Name: Rader, Fishman & Grauer PLLC | | | |
| The Commissioner is hereby authorized to: (check all that apply) | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | | | |
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| <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application | | | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | |
| FEE CALCULATION | | | |
| 1. BASIC FILING FEE | | | |
| Large Entity | Small Entity | | |
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | (\$) | 0.00 |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | |
| Total Claims | Extra Claims | Fee from below | Fee Paid |
| Independent | -- | x | = |
| Multiple Dependent | -- | x | = |
| 04/03/2003 MAILED 00000007 180013 | 09641667 | | |
| Large Entity | | Small Entity | |
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | (\$) | 0.00 |
| ** or number previously paid, if greater; For Reissues, see above | | | |
| SUBMITTED BY | | Complete (if applicable) | |
| Name (Print/Type) | James F. Kemp | Registration No. (Attorney/Agent) | 41,882 |
| Signature |  | Telephone | (248) 594-0656 |
| | | Date | March 27, 2003 |

| | |
|---|--|
| Fee Transmittal | |
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, to Examiner Cheu; facsimile no. 703-308-4556, on the date shown below. | |
| Dated: March 27, 2003 | Signature:  (Wendy A. Balaban) |